

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EXPANSE NETWORKS, INC.,

Plaintiff,

Civil Action No. 02-CV-2857

V.

CATALINA MARKETING CORP.,

Defendant.

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT FOR INVALIDITY
OF THE ‘129 AND ‘348 PATENTS**

Pursuant to Fed. R. Civ. P. 56, defendant Catalina Marketing Corp. hereby moves the Court for entry of summary judgment that U.S. Patent Nos. 6,216,129 and 6,298,348 are invalid. The grounds for this motion are set forth in the defendant's supporting brief, which is incorporated by reference herein.

Date: June 25, 2004

Respectfully Submitted,

M.V.G.

/JVG2384

Eric Kraeutler (Pa. Bar I.D. No. 32189)
John V. Gorman (Pa. Bar I.D. No. 80631)
MORGAN, LEWIS & BOCKIUS, LLP
1701 Market Street
Philadelphia, Pennsylvania 19103-2921
Telephone No.: (215) 963-5000
Facsimile No.: (215) 963-5001

John W. MacPete
Paul V. Storm
STORM & HEMINGWAY, L.L.P.
8117 Preston Road, Suite 460
Dallas, TX 75225
Telephone No.: (214) 292-8300
Facsimile No.: (214) 292-8999

**ATTORNEYS FOR DEFENDANT
CATALINA MARKETING CORP.**

CERTIFICATE OF SERVICE

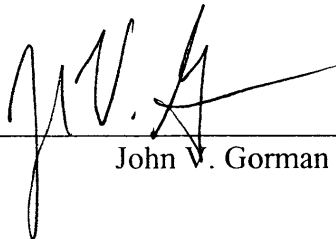
The undersigned certifies that a copy of the foregoing Defendant's Motion for Summary Judgment of Invalidity Of The '129 And '348 patents was served upon the attorneys of record of all parties in accordance with Federal Rules of Civil Procedure, on this 25th day of June, 2004 as follows:

VIA FIRST CLASS MAIL

Steven M. Coren, Esq.
1525 Locust St., 17th Floor
Philadelphia, PA 19102
Tel: (215) 735-8700
Fax: (215) 735-5170

VIA E-MAIL

Edward W. Goldstein
GOLDSTEIN & FAUCETT
1177 West Loop South, Suite 400
Houston, TX 77027
Tel: (713) 877-1515
Fax: (713) 877-1737


_____/JVG2384
John V. Gorman